

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 11-16—sHB 6279**

*Public Health Committee*

*Human Services Committee*

*Judiciary Committee*

**AN ACT CONCERNING REVISIONS TO STATUTES RELATING TO  
THE DEPARTMENT OF DEVELOPMENTAL SERVICES INCLUDING  
THE UTILIZATION OF RESPECTFUL LANGUAGE WHEN  
REFERRING TO PERSONS WITH INTELLECTUAL DISABILITY**

**SUMMARY:** This act updates terminology used by the Department of Developmental Services (DDS) and the Office of Protection and Advocacy for Persons With Disabilities (OP&A) in their provision of services. It substitutes the term “intellectual disability” for “mental retardation” to reflect changes in federal law and within the developmental disabilities community. It also uses the term “autism spectrum disorder” instead of just “autism” to encompass all autism diagnoses on the autism spectrum. It also:

1. specifies that DDS regulations include requirements regarding quality service reviews in addition to licensing inspections and that at least half of all quality service reviews, licensing inspections, or facility visits DDS conducts after initial licensure must be unannounced;
2. removes the licensure requirement for residential facilities, instead requiring only community living arrangements or community companion homes to obtain DDS licensure (these are the only facilities DDS currently licenses in practice);
3. eliminates the requirement that each DDS contract to construct, renovate, or rehabilitate a community-based residential facility be awarded to the lowest responsible and qualified bidder through the competitive bid process established by department regulations (DDS must still comply with state contracting laws);
4. repeals the requirement that the Camp Harkness Advisory Committee annually report to the DDS commissioner and the Public Health Committee on the camp’s status;
5. replaces statutory references to “community training homes” with “community companion homes and community living arrangements” to reflect updated terminology;
6. removes the statutory definition of “employment opportunities and day services;”
7. specifies that anyone aggrieved by a DDS regulatory requirement or licensure denial or revocation may request an administrative hearing under the Uniform Administrative Procedure Act; and
8. repeals certain statutory provisions.

The act also makes minor, technical, and conforming changes.

## OLR PUBLIC ACT SUMMARY

EFFECTIVE DATE: Upon passage

### REPEALERS

The act repeals the following:

1. the requirement that DDS annually report to the Public Health and Appropriations committees regarding regional comparisons of staff-to-client ratios, program and per-client service costs, and gaps between people served and those requesting services;
2. a provision allowing DDS to directly purchase, within available appropriations, up to \$3,500 of wheelchairs, placement equipment, and clothing specifically designed for handicapped persons;
3. a provision exempting a resident placed in a private boarding home who is recalled for a physical and mental examination from the per diem fee for a recall period of up to 10 days;
4. a provision authorizing an officer of a facility or training school, upon the superintendant's written request, to return to the institution a DDS client who placed-out or escaped; and
5. provisions related to the recommitment and transfer of DDS clients from a state institution to the Southbury Training School, state developmental services region, or any state facility for individuals with developmental disabilities.

### BACKGROUND

#### *Updated Terminology*

A recently enacted federal law, known as "Rosa's Law" (P. L. 111-256), changes references in federal law from "mental retardation" to "intellectual disability" and from a "mentally retarded individual" to an "individual with an intellectual disability."

The new edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-V) by the American Psychiatric Association, scheduled to take effect in May 2013, will change the term "mental retardation" to "intellectual disability" and the term "autistic disorder" to "autism spectrum disorder"

#### *Related Act*

PA 11-4 also updates the terminology used by DDS in its provision of autism services.

OLR Tracking: ND:KM:PF:ts